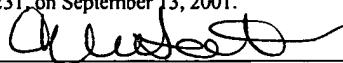




PATENT
Docket No. 350292000500

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on September 13, 2001.


Aliza Foat

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RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In the application of:

Kouji MATSUSHIMA, et al.

Serial No.: 09/202,791

Filing Date: December 22, 1998

For: THERAPEUTIC AGENT FOR ACUTE
LUNG INJURY RESULTING FROM
INDIRECT CAUSES COMPRISING
ANTI-IL-8 ANTIBODY AS ACTIVE
INGREDIENT

Examiner: D. Ware

Group Art Unit: 1651

NOTICE OF APPEAL

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

All finally rejected claims 1-29 and 31-44 in the Final Office Action dated March 13, 2001, are hereby appealed to the Board of Appeals.

- Appeal Fee not Required.
- Attached is the Appeal fee of \$.
- Please charge the Appeal Fee of \$ 310.00 to Deposit Account No. 03-1952.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this Notice of Appeal, or to credit any

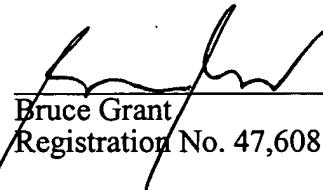
overpayment, to **Deposit Account No. 03-1952** referenced attorney docket number
350292000500.

A duplicate copy of this Notice is enclosed for that purpose.

Respectfully submitted,

Dated: September 13, 2001

By:


Bruce Grant
Registration No. 47,608

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